

## **REMARKS**

Reconsideration of this application is respectfully requested.

This Amendment follows a telephone interview initiated by applicant's attorney with Examiner Lewin on September 21, 2007. The interview included a discussion of what applicant believes are distinctions between claim 1 as amended herein and the prior art relied on by the Examiner. It should be noted that claim 1 as amended herein is a restoration of the text of claim 1 as submitted with applicant's Request for Continued Examination, filed January 16, 2007. Thus claim 1 as amended herein does not present any new issues that require further search.

No commitments were made by Examiner Lewin during the interview of September 21, 2007 and the text of the following remarks are a recapitulation of the issues discussed with Examiner Lewin.

U.S. Patent 1,243,107 to Richardson was relied on by the Examiner as a primary reference to reject claims 1, 4, 8 and 9. Of particular interest is the structure and function of the Richardson clamping dog assembly 5 on one side of the frame 2 and the guide 8 on an opposite side of the frame 2.

The Richardson guide 8 is a guide channel and does not grip, lock or attach to the cord or rope 9. Therefore the cord or rope 9 of Richardson is always free to move through the guide 8 unless restrained by the clamping dog 5. Applicant would like to emphasize that the clamping dog 5 is the only component in Richardson that is operable to restrain the rope 9. Such restraining action occurs when the clamping dog 5 is pivoted clockwise about a pivot pin 6 (Fig. 1) to cause the camming surface of the clamping dog 5 to compress the rope 9 against the bearing lug 7. There is no

showing or suggestion in Richardson of the rope 9 being attached to either the guide 8 or the clamping dog assembly 5.

It is apparent from Richardson that if the rope 9 were attached to the guide 8 Richardson would be inoperable because, as stated in Richardson at page 1, lines 16-19

“The device is designed to provide  
for easy slippage of a  
rope...and...holding it at any  
desired position in its movement  
through the frame.”

Attachment of the rope 9 to the guide 8 or the clamping dog 5 of Richardson would defeat this purpose.

It is also submitted that if the rope 9 were attached to the guide 8 or the clamping dog 5 Richardson would be inoperable, since attachment of the rope to the clamping dog 5 or the guide 8 would not permit the “easy slippage” of the rope that is sought by Richardson.

However the Examiner in referring to Richardson states in the Office Action at the third line from the bottom of page 2 that,

“...an opposite side of the locking  
device is attached to the first  
part of the rope...”

It is thus submitted that the above interpretation of Richardson by the Examiner is incorrect.

The word *attach* is a requirement in applicant’s claim 1 that constitutes a significant distinction over Richardson and other prior art relied on by the Examiner.

Applicant’s claim 1 requires,

“...an opposite side of said locking  
device (4) is **attached** to the first  
part (2’) of the rope between the  
direction reversal means and the  
handle loop...” (*emphasis supplied*)

In the American Heritage Dictionary, 2<sup>nd</sup> College Edition, Houghton Mifflin Company 1985 and Webster's New World Dictionary, 2<sup>nd</sup> College Edition, Simon & Schuster 1984 the word *attach* is defined as being synonymous with fasten.

However because of the Examiner's inaccurate interpretation of Richardson the Examiner perceives that Richardson shows a locking device attached to a rope. Therefore the Examiner finds that Richardson is deficient in satisfying applicant's claim 1 requirements in only two aspects as stated at page 3 of the Office Action, first full paragraph that,

“Richardson fails to disclose a handle loop being provided at the lower end of the first part of the rope or the rope receiving groove having a set of inclined keyway wedging elements.”

Applicant respectfully submits that Richardson does not suffice to fulfill applicant's requirement in claim 1 that,

“...an opposite side of said locking device (4) is **attached** to the first part (2') of the rope between the direction reversal means and the handle loop...” (*emphasis supplied*)

The Examiner relies on U.S. Patent 1,105,624 to Davis to supply the missing handle loop to Richardson, and also relies on U.S. Patent 4,765,005 to Hippel to supply the missing inclined keyway wedging elements to Richardson.

However this combination still leaves open the fulfillment of applicant's requirement in claim 1 that,

“...an opposite side of said locking device (4) is **attached** to the first part (2') of the rope between the direction reversal means and the handle loop...” (*emphasis supplied*)

Furthermore applicant submits that the combination of Hippel with Richardson is flawed because the substitution of Hippel's jam cleat 40 (Figs. 7-12) for either the Richardson guide 8 or the Richardson clamping dog 5 would render the modified Richardson inferior to the original Richardson since Hippel's jam cleat 40 does not provide as secure a binding action against the Richardson rope 9 as the Richardson clamping dog 5. Thus Hippel adds nothing to Richardson that would be advantageous or obvious to persons skilled in the art.

Accordingly it is submitted that claim 1 is patentably distinguishable over Richardson, Davis and Hippel and any of the other references of record whether considered individually or in combination with Richardson, Davis and Hippel. Furthermore there is no logical reason for persons skilled in the art to modify Richardson by providing means for attaching or fastening the cord 9 to the guide 8 or the clamping dog 5 because such provision would lead to inoperability of Richardson. Allowance of claim 1 is thus respectfully requested.

Claims 4, 8 and 9 and the newly added claim 16 which directly or indirectly depend on claim 1 are likewise submitted as allowable for the reasons supporting allowance of claim 1 as well as the distinctions defined therein. Allowance of claims 4, 8, 9 and 16 is thus respectfully requested.

The Examiner rejected dependent claims 5 and 13 under 35 U.S.C. §103(a) based on Richardson, Davis and Hippel combined with U.S. Patent 5,664,640 to Smith. The Examiner states that Smith shows a guide pin that cooperates with a rope wedge and thus fulfills the requirements of claims 5 and 13. Claims 5 and 13 directly or indirectly depend on claim 1, and as previously discussed Richardson, Davis and Hippel do not fulfill applicant's claim 1 requirement of

“...an opposite side of said locking device (4) is **attached** to the first part (2') of the rope between the direction reversal means and the handle loop...” (*emphasis supplied*)

Applicant further submits that Smith does not supply teachings which fulfill the previously quoted requirements of claim 1.

It is thus submitted that claims 5 and 13 are allowable and allowance thereof is respectfully requested.

The Examiner rejected dependent claim 7 based on Richardson, Davis and Hippel in combination with U.S. Patent 5,540,307 Pickering. The Examiner states that Richardson fails to disclose the guide as a flap that is pivotable against spring force relative to the locking device. The Examiner relies on Pickering to disclose a pivotal flap. However as discussed in connection with claim 1 Richardson, Davis and Hippel do not fulfill the following requirement of applicant's claim 1

“...an opposite side of said locking device (4) is **attached** to the first part (2') of the rope between the direction reversal means and the handle loop...” (*emphasis supplied*)

It is further submitted that Pickering supplies no teachings which would bolster Richardson, Davis and Hippel as suggesting the above quoted requirements of applicant's claim 1. Accordingly it is submitted that claim 7 is allowable and allowance thereof is respectfully requested.

The Examiner indicated that dependent claims 10, 11, 12 and 14 would be allowed if written in independent form. However claims 10, 11, 12 and 14 directly or indirectly depend on upon claim 1 and are likewise submitted as allowable for the reasons supporting allowance of claim 1, as well as the distinctions defined in claims 10, 11, 12 and 14. Allowance of claims 10, 11, 12 and 14 is thus respectfully requested.

Claim 15 was previously allowed by the Examiner.

In view of the foregoing remarks and amendments it is submitted that this application is in condition for allowance and allowance thereof is respectfully requested.

Respectfully submitted,

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